

OFFICIAL GAZETTE

GOVERNMENT OF GOA

Note: There are two Extraordinary issues and a Supplement to the Official Gazette Series II. No. 46 dated 10-2-2000 as follows:-

1. Extraordinary dated 11-2-2000 from pages 747 to 748 regarding Notifications from Department of Revenue.
2. Supplement dated 11-2-2000 from pages 749 to 750 regarding Notification from Department of Mines.
3. Extraordinary dated 14-2-2000 from pages 751 to 752 regarding Notification from Department of Labour.

GOVERNMENT OF GOA

Governor's Secretariat

Raj Bhavan, Goa.

Order

No. GEST/2/2000/250

Read:- Order No. GEST/1/97-GAD dated 2/2/2000 from General Administration Department, Government of Goa.

Whereas vide Order No. GEST/1/97-GAD dated 2/2/2000 of the Government of Goa, General Administrative Department, the post of Special Assistant to Governor has been upgraded as Joint Secretary to Governor in the pay scale of Rs. 10,000-325-15,200 (Ex-cadre post) with immediate effect;

2. Whereas Dr. N. Radhakrishnan has been holding the post of Special Assistant to the Governor from 1/8/1986 continuously till now;

3. Now, therefore, His Excellency the Governor of Goa is hereby pleased to appoint Dr. N. Radhakrishnan against the upgraded post of Joint Secretary to the Governor in the pay scale of Rs. 10,000-325-15,200, on ad-hoc basis with immediate effect.

By order and in the name of the Governor of Goa.

Jalaj Shrivastava, Secretary to Governor.

Dona Paula, 3rd February, 2000.

Department of Agriculture Directorate of Agriculture

Order

No. 2/12/96-AGRI/95

In pursuance of article 76 (i) of Memorandum of Association, the Government of Goa is pleased to nominate and appoint Shri Tomazinho Cardozo, as Chairman of the Goa State Horticultural Corporation Ltd. Panaji, with immediate effect and until further orders.

By order and in the name of the Governor of Goa.

K. G. Sharma, Director of Agriculture and Ex-Officio Joint Secretary.

Panaji, 2nd February, 2000.

Department of Forests

Notification

No. 2-271-99-FD/5673

In pursuance of the provisions of section 3 of the Goa, Daman & Diu Preservation of Trees Act, 1984 (Act No. 6 of 1984) the Government of Goa is pleased to reconstitute Tree Authorities for the revenue districts of North Goa and South Goa as follows:-

North Goa District:

- | | | |
|--|-----|----------|
| 1) Forest Secretary | ... | Chairman |
| 2) Shri Dayanand Mandrekar, M.L.A. | ... | Member |
| 3) Shri Pandurang Raut, M.L.A. | ... | Member |
| 4) Collector (North) | ... | Member |
| 5) Mrs. Madhura Mandrekar Sarpanch, Nadora. Bardez. | ... | Member |
| 6) Tree Officer, North Goa Division, Ponda. | ... | Member |

South Goa District

- | | | |
|--|-----|---------------------|
| 1) Forest Secretary | ... | Chairman |
| 2) Shri Jose Phillip D'Souza, M.L.A. | ... | Member |
| 3) Shri Filipe Neri Rodrigues, M.L.A. | ... | Member |
| 4) Shri Francis Fernandes Ex-Sarpanch, St. Jose de Areal | ... | Member |
| 5) Shri Arun Bicholkar, of Sanguem r/o Collem. | ... | Member |
| 6) Collector (South) | ... | Member |
| 7) Tree Officer, South Goa Division, Margao. | ... | Member Secretary |

This issues in supersession of this office Notification No. 2-271-99-FD/3327 dated 23-9-99.

By order and in the name of the Governor of Goa.

Richard D'Souza, Conservator of Forests & Addl. Secretary.

Panaji, 27th January, 2000.

Order

No. 1-V-70/2000/5594

Read: Order No. 1-V-70-99/3421 dated 04-10-1999.

In pursuance of Article 76 (i) and (iii) of the Articles of Association of Goa Forest Development Corporation Limited, the Government of Goa is pleased to appoint Dr. Wilfred Mesquita as the Chairman of the Goa Forest Development Corporation Limited.

The term of the Chairman will be for a period of 3 years with effect from the date of issue of this order.

This supersedes item No. 1 of order cited above.

By order and in the name of the Governor of Goa.

Richard D'Souza, Conservator of Forests & Ex-Officio & Addl. Secretary.

Panaji, 27th January, 2000.

Department of Home

(General Division)

Notification

No. 1/53/88-HD (G)

In exercise of the powers conferred by clause (s) of section 2 of the Code of Criminal Procedure, 1973 (Central Act 2 of

1974), read with section 21 of the General clauses Act, 1897 (Central Act 10 of 1897), the Government of Goa hereby amends the Government Notification No. 1/53/88-HD (G) dated 18-8-1989 published in Official Gazette Sr. II No. 33, dated 16-11-89 (hereinafter called the 'said Notification'), as follows:-

In the said Notification,—

- in clause (i), for the words "Goa Velha", the word "Agacaim" shall be substituted;
- in the Schedule, against Sr. No. 1, in column 2, for the words "Goa Velha", the word "Agacaim" shall be substituted.

By order and in the name of the Governor of Goa.

A. Mascarenhas, Under Secretary (Home).

Panaji, 2nd February, 2000.

Department of Irrigation**Order**

No. 22-1-81/CE-Irrg/Admn. II/1235

Read: Order No. 22-1-81/CE-IRRG/Admn. II/1163 dated 11-1-2000.

The transfer of Shri Mohan V. Sakenawar, Assistant Engineer from sub-Division III, Works Division XV, Irrigation Department, Tivim to North Goa Planning & Development Authority, Panaji on deputation ordered vide order read above shall be implemented with immediate effect.

The order No. 22-1-81/CE-Irrg/Admn. II/1189 dated 13-1-2000 stands cancelled.

By order and in the name of the Governor of Goa.

S. D. Sayanak, Chief Engineer (Irrg) & Ex-Officio Addl. Secretary.

Panaji, 21st January, 2000.

Order

No. 22-1-81/CE-Irrg/Admn. II/1255

Government is pleased to order transfer/posting with immediate effect of the following Executive Engineer/Surveyor

of Works in public interest against the places indicated here below.

| Sr. No. | Name of the Officer | Present place of posting | New place of posting |
|---------|-------------------------------|--|--|
| 1. | 2. | 3. | 4. |
| 1. | Shri S. G. R. Sivachidambaram | Circle II, I. D., Colvale. | Mormugao Municipal Council Vasco on deputation as Municipal Engineer. |
| 2. | Shri J. S. R. Parabrahman | Mormugao Municipal Council, Vasco on deputation. | Office of the Superintending Surveyor of Works, I. D. Colvale as S.W. in the existing vacancy. |

The deputation of Shri S. G. R. Sivachidambaram, Surveyor of Works is initially for a period of one year and it shall be governed as per the standard terms and conditions laid down in Govt. O. M. No. 13-4-74-PER dated 12-2-99 and even No. dated 5-1-2000.

Shri S. G. R. Sivachidambaram, Surveyor of Works shall move first.

Shri M. K. Pant, Executive Engineer, Works Div. VII, I.D., Colvale shall hold the charge of Surveyor of Works, Circle Office II, I. D., Colvale in addition to his own duties until further orders.

By order and in the name of the Governor of Goa.

S. D. Sayanak, Chief Engineer (Irrg) & Ex-Officio Addl. Secretary.

Panaji, 25th January, 2000.

Department of Labour

Order

No. IRM/CON/MAP/(21)/96/7769

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Fort Aguada Beach Resort, Sinquerim-Goa, and its 133 workmen represented by Fort Aguada Beach Resort, Employees Union, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act,

1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

- (1) "Whether the action of the workmen of M/s. Fort Aguada Beach Resort, Sinquerim, under the banner of Fort Aguada Beach Resort, Employees Union, in resorting to strike at the said hotel with effect from 24-12-1994 to 4-4-1995, is legal and justified?"
- (2) (a) "Whether the demand of Fort Aguada Beach Resort Employees Union for payment of wages to the 133 striking workmen during the strike period from 24-12-1994 to 4-4-1995, is legal and justified?"
- (2) (b) "If not, to what relief the workmen are entitled?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 10th March, 1998.

Order

No. IRM/CON/SG/(49)/97/7914

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Adarsh Sahakari Grahak Saunstha Limited and its workmen represented by Gomantak Mazdoor Sangh in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) "Whether the action of the management of M/s. Adarsh Sahakari Grahak Saunstha Ltd., Margao in refusing to concede the following demands raised by Gomantak Mazdoor Sangh are legal and justified".

DEMAND NO. (1) SCALE OF PAY: Union demands that the present scale of pay is very less and hence it should be revised as below:-

GRADE DESIGNATION SCALE

Order

I. Senior Clerk and equivalent categories 950-55-1225-1525-65-1850.

II. Clerks and equivalent categories 850-50-1100-55-1375-60-1675.

III. Weighman and others 800-45-1025-50-1275-55-1550.

IV. Unskilled categories 750-40-950-45-1175-50-1425.

DEMAND NO. (2):- DEARNESS ALLOWANCE: Considering the high cost of living in Goa as it is a tourist spot, the present rate of VDA is very low, and therefore, union demands that VDA shall be paid at the revised rate of Rs. 2,60 per point increase (1960=100) AICPI.

DEMAND NO. (3):- SENIORITY INCREMENTS: Union demands that the seniority increments should be given to all the workmen at the following rates:-

- (1) Service rendered upto three years. : One Increment.
- (2) Service rendered above three years: Two Increments but not completed five years.
- (3) Completed five years but not: Three Increments completed ten years.
- (4) Completed ten years and above: Four Increments.

Demand No. (4): TRAVELLING ALLOWANCE:- Union demands that the travelling allowance should be paid at the rate of Rs. 100/- per month due to high cost of transport.

Demand No. (5): UNIFORM: Union demands that two sets of terricoat uniform should be given to each workman every year.

Demand No. (6): LEAVE:- Union demands that the present leave is very less and the same should be increased as mentioned below:-

- (a) Earned Leave: 30 days per year
- (b) Sick Leave: 18 days per year
- (c) Casual Leave: 15 days per year

(2) If not to what relief the workmen are entitled?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 16th March, 1998.

No. IRM/CON/MAP/(35)/95/7956

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Fort Aguada Beach Resort, Sinquerim-Goa, and their workmen represented by the Fort Aguada Beach Resort Employees Union, in respect of the matter specified in the schedule annexed hereto (hereinafter referred to as the 'said dispute').

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

"Whether the action of the management of M/s. Fort Aguada Beach Resort, Sinquerim-Goa, in transferring the following workmen to the places shown against their names is legal and justified?"

1. Shri Ashok Deulkar, Security Valet-Varnasi.
2. Shri Michael Fernandes, Waiter-Lucknow.
3. Shri Agnelo Quadros, Waiter-Agra.
4. Shri Sitaram Rathod, Head Mali-Ernakulam.
5. Shri Sham Kerkar, Trainee Asstt. Operator-Aurangabad.
6. Shri Joseph Gomes, Security Guard-Udaipur.

If not, to what relief they are entitled?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 19th March, 1998.

Order

No. IRM/CON/PONDA/(144)/97/8206

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. MRF LTD., Usgao-Ponda, Goa, and its workman Shri George Oliveira, represented by the Goa MRF Employees Union, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said

Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) "Whether the action of the management of M/s. MRF Limited, Usgao-Goa, in terminating the services of its workman Shri George Oliveira, with effect from 16-11-1996, is legal and justified?"
- (2) If not, to what relief the workman is entitled?"

By order and in the name of Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 2nd April, 1998.

Order

No. IRM/CON/PONDA/(126)/97/8226

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Mandovi Pellets Limited, Shiroda and its workman Shri Luis D. J. Gomes, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa, hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) "Whether the action of the management of M/s. Mandovi Pellets Ltd., Near Borim Bridge, Shiroda-Goa, in terminating the services of its workman Shri Luis D. J. Gomes, 'Foreman' with effect from 6-1-1997, is legal and justified?"
- (2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 3rd April, 1998.

Order

No. 28/6/96-LAB/8190

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), read with section 21 of the General Clauses Act, 1897 (Central Act 10 of 1897), the Government of Goa hereby amends the Government Order No. 28/6/96-LAB dated 29-8-1996 (hereinafter referred to as the 'said order'), as follows:-

For the Schedule to the said Order, the following Schedule shall be substituted, namely:-

"SCHEDULE

- (a) Whether the demands raised by the All Goa General Employees Union (CITU), Vasco-da-Gama, before the management of the Menezes Group of Companies, namely (1) Cosmed Analytical and Central Services (2) Wallace Pharmaceuticals Limited (3) Beirdorf India Ltd. (4) Colflex Laboratories (I) Ltd. (5) CFL Pharmaceuticals Limited (6) Menezes Pharmaceuticals (7) Menezes Chemicals (Goa) Pvt. Limited (8) PJM Pharmaceuticals Pvt. Ltd. and B. Brown Medical India Limited, as per the Union's letter dated 27-8-1994 incorporating the Charter of Demands as listed in the Schedule appended hereto are fair, legal and justified?
- (b) If so, to what relief the workmen are entitled?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 3rd April, 1998.

Order

No. IRM/(3-11)/(19)/98/8217

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Navhind Papers and Publications Limited, Panaji-Goa, and its workman Shri Gurudas Balkrishna Pednekar, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) "Whether the severance of employer-employee relationship between the management of M/s. Navhind Papers and Publications Limited, Panaji-Goa, and Shri Gurudas Balkrishna Pednekar, is on account of termination of his services or as a result of voluntary action on the part of the workman ?
- (2) Is the workman entitled to any relief ?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 6th April, 1998.

Order

No. IRM/CON/VSC/(2)/1997/8222

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Goa Shipyard Limited, Vasco-da-Gama, Goa and its workman Shri L. Potekar, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) "Whether the action of the management of M/s. Goa Shipyard Ltd., Vaddem, Vasco-Goa, in terminating the services of Shri L. Potekar with effect from 11-10-1995, is legal and justified?
- (2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 6th April, 1998.

Order

No. IRM/CON/(50)/96/8225

Whereas the Government of Goa is of the opinion that an industrial dispute exists between M/s. LIC Housing Finance Limited, Panaji-Goa, and its workman Shri Sudesh Kerkar, in

respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act') the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) "Whether the action of M/s. LIC Housing Finance Limited, Panaji-Goa, in terminating the services of Shri Sudesh Kerkar, Messenger, with effect from 25-6-1995, is legal and justified.
- (2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 6th April, 1998.

Order

No. IRM/CON/P/(135)/98/8282

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Environcon, Contractor of M/s. E. Merck India Limited, Ponda-Goa, and its six workmen represented by All Goa General Employees Union, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) "Whether the action of the management of M/s. Environcon, Corlim, Goa, Contractor of M/s. E. Merck India Limited, Maravasswado, Usgao, Ponda-Goa, in terminating the services of six workmen, namely S/Shri. Gurudas Gaude, Vasudev Gaude, Rajesh

Sawant, Pramod Mhalasekar, Joaquim Fernandes and Shyam Mhalasekar with effect from 31-3-1997, is legal and justified?"

(2) If not, to what relief the workmen are entitled?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 6th April, 1998.

Order

No. CL/EST-H/97/ESI/199

On the recommendation of Goa Public Service Commission vide their letter No. COM/I/5/28(1)/92 dated 23-2-93, the Government is pleased to appoint Dr. (Mrs.) Maria Arlette F. Pereira on temporary basis on the post of Insurance Medical Officer at E. S. I. Hospital, Margao (Group 'A' Gazetted) in the pay scale of Rs. 8000-275-13500/- plus N.P.A. as admissible under the rules plus E.S.I. Allowance of Rs. 200/- p.m. with effect from the date of taking over the charge as per the terms and conditions contained in the Government Memorandum of even number dated 23-6-97.

Dr. (Mrs.) Maria Arlette F. Pereira has already been examined by the Medical Board of the Goa Medical College and found fit.

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 9th April, 1998.

Order

No. IRM/CON/(17)/97/8296

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Cosme Matias Menezes Pvt. Limited, Panaji-Goa, and their workman Shri Agnelo da Piedade Fernandes, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

(1) "Whether the action of the management of M/s. Cosme Matias Menezes Pvt. Limited, Panaji-Goa, in terminating the services of Shri Agnelo da Piedade Fernandes, Cashier, with effect from 1-6-1996, is legal and justified?"

(2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner of Labour & Ex-Officio Joint Secretary.

Panaji, 13th April, 1998.

Order

No. CL/Pub-Awards/98/2000/512

The following Awards dated 23-12-1999 in Reference No. IT/121/99 given by the Industrial Tribunal, Panaji-Goa, is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner, Labour & Ex-Officio Joint Secretary.

Panaji, 27th January, 2000.

IN THE INDUSTRIAL TRIBUNAL GOVERNMENT OF GOA AT PANAJI

(Before Shri Ajit. J. Agni, Hon'ble Presiding Officer)

Ref. No. IT/121/99

Workmen,
Rep. by the Secretary,
Gomantak Mazdoor Sangh,
Ponda-Goa.

... Workman/Party I

v/s

M/s. Cement Bricks Industries,
Ponda-Goa.

... Employer/Party II

Workmen rep. by Shri P. Gaonkar.

Employer rep. by Adv. M. S. Bhandodkar.

Panaji, Dated 23-12-99.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Goa by order dated 28th Sept., 1999 bearing No. IRM/CON/P/(254)/99/4932 referred the following dispute for adjudication by this Tribunal,

"Whether the action of the management of M/s Cement Bricks Industries, Curti, Ponda-Goa, in terminating the services of the workmen namely (1) Blisab Nadaf, (2) Madhuker Sattarkar, (3) Shantaram Usgaonkar, (4) Nagappa Gaded, (5) Shivappa Gaded, (6) Anta Kerkar, (7) Umesh Naik, (8) Yamuna Kerkar, (9) Nirmal Gawade, (10) Rukmini Ladigar, (11) Sushila Hiremath, (12) Sundari Kerkar, (13) Hanamavva Kalligi, (14) Jubida Shaik (15) Rukmini Gawade, with effect from 28-2-99 is legal and justified?"

If not, to what relief the workmen are entitled?"

2. On receipt of the reference a case was registered under No. IT/121/99 and registered A/D notice was issued to the parties. In pursuance to the said notice the parties put in their appearance. The workmen/Party I (for short, "Union") filed the statement of claim at Exb. 3. The facts of the case in brief as pleaded by the union are that the workmen who are the parties to the present reference (for short, "Workmen") are employed with the employer/Party II (for short, "Employer") for the last several years. That the employer displayed a notice on the notice board on 20-2-99 that the Unit will be closed with effect from 28-2-99. That on 28-2-99 the employer obtained the signature of the workmen forcefully on papers and the contents on the said papers were not known to the workmen as they were written in English and the workmen being illiterate did not know to read the same. That on the date of termination of their service the employer did not pay any retrenchment compensation to the workmen nor offered the same to them and therefore the union raised an industrial dispute on behalf of the workmen vide letter dated 2-3-99. That the Assistant Labour Commissioner, Ponda, called both the parties for discussion but since the management did not attend the conciliation proceedings, the conciliation proceedings failed and the dispute was referred to this Tribunal for adjudication. The Union contended that the employer did not comply with the provisions of Industrial Disputes Act, 1947 and hence the retrenchment is illegal, unjustified and bad in law. The union contended that since the date of termination of service the workmen are unemployed and are undergoing hardships. The union therefore prayed that the workmen be ordered to be reinstated in service with full back wages and continuity in service as their retrenchment is illegal, improper and unjustified.

3. After the statement of claim was filed by the union the case was fixed for filing of the written statement of the employer on 13-12-99 at 10.30 a.m. On that date Shri Gaonkar representing the union and Shri Bandodkar representing the employer submitted that the dispute between the parties was amicably settled and they filed the terms of settlement dated 9-12-99 along with an application praying that the award be passed in terms of the settlement dated 9-12-99. I have gone through the terms of the settlement which are duly signed by the parties and I am satisfied that the said terms are certainly in the interest of the workmen. I, therefore accept the submissions made

by the parties and pass the consent award in terms of the settlement dated 9-12-99 Exb. 5.

ORDER

1. It is agreed between the parties that workmen mentioned in Annexure 'A' who are affected by the closure shall be paid, an amount as mentioned against their names in full and final settlement of all their claims arising out of their employment and they shall have no claim against Management.
2. It is agreed by the workmen and the union that amount mentioned in Annexure 'A' includes, notice pay, closure compensation, etc. and they confirm that they have no further claim against the Management.
3. It is agreed between the parties that in the event Management decides to reopen the factory, any time in future, preference will be given to these workmen in accordance with Section 25 (4) of the Industrial Disputes Act, 1947, and any workmen who does not report for work shall lose lien on the employment.
4. It is agreed between the parties that joint application will be made in reference No. IT/121/99 for disposal of the said reference in terms of this settlement.
5. It is further agreed between the parties that they would jointly approach the Labour Commissioner and request for the registration of this settlement.

ANNEXURE 'A'

| Sr. No. | Name | Total closure compensation in Rupees. |
|---------|----------------------|---------------------------------------|
| 1 | 2 | 3 |
| (1) | Balesab Nadaf, | 16,992.00 |
| (2) | Madhuker Sattarkar, | 17,604.00 |
| (3) | Shantaram Usgaonkar, | 17,604.00 |
| (4) | Anta Kerkar, | 10,500.00 |
| (5) | Nagappa Undi, | 13,216.00 |
| (6) | Shivappa Gaded, | 11,361.00 |
| (7) | Umesh Naik, | 7,258.50 |
| (8) | Yamuna Kerkar, | 14,004.00 |
| (9) | Nirmala Gawade, | 14,004.00 |
| (10) | Rukmini Ladigar, | 7,536.00 |
| (11) | Sushila Hiremath, | 6,780.00 |
| (12) | Sundari Kerkar, | 6,500.00 |
| (13) | Hanamavva Kalligi, | 5,850.00 |
| (14) | Jubida Shaik, | 5,850.00 |
| (15) | Rukmini Gawade, | 9,750.00 |

No order as to costs. Inform the Government accordingly.

Sd/-
(AJIT J. AGNI)
Presiding Officer
Industrial Tribunal.

Order

No. CL/Pub-Awards/98/2000/513

The following Awards dated 10-1-2000 in Reference No. IT/7/94 given by the Industrial Tribunal, Panaji-Goa, is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central act 14 of 1947).

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner, Labour & Ex-Officio Joint Secretary.

Panaji, 27th January, 2000.

**IN THE INDUSTRIAL TRIBUNAL
GOVERNMENT OF GOA
AT PANAJI**

(Before Shri Ajit. J. Agni, Hon'ble Presiding Officer)

Ref. No. IT/7/94.

Shri Lourdes J. Fernandes,
and 4 others,
H. No. 99, Duguem Nivem,
Salcete-Goa.

... Workman/Party I

v/s

M/s Fomento Corp.,
P. O. Box 31,
Margao-Goa.

... Employer/Party II

Workman/Party I-Represented by Shri Subhas Naik
Employer/Party II-Represented by Adv. Shri B. G. Kamat.

Panaji, Dated: 10-1-2000.

AWARD-PART II

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Goa by order dated 1-10-93 bearing No. 28/47/93-LAB referred the following dispute for adjudication by this Tribunal.

"Whether the action of the management of M/s Fomento Corp., Margao-Goa, in terminating the services of the following workmen with effect from 14-4-92 is legal and justified?"

- (1) Shri Lourdes Jose Fernandes.
- (2) Shri Manoj Kalekar.
- (3) Shri Bharat Vithal Naik.
- (4) Shri Andrew Carvalho.
- (5) Smt. Filomena D'Costa.

If not, to what relief the above workmen are entitled?"

2. On receipt of the reference a case was registered under No. IT/7/99 and registered A/D notice was issued to the parties. In

pursuance to the said notice the parties put in their appearance. The workmen/Party I (for short, "workmen") filed their statement of claim at Exb. 5. The facts of the case in brief as pleaded by the workmen are that the Employer/Party II (for short, "employer") is engaged in the business of selling motor cycles, mainly Yamaha, Rajdoot etc., besides being engaged in selling spare parts. That the employer has its Head Office at Margao besides a show room at Margao, Vasco, Mapusa and Ponda. That the workman Shri Lourdes Fernandes was appointed as a Cashier from 1st October 1988 and was working at the showroom at Margao; the workman Shri Manoj Kalekar was appointed as a peon from 1st August 1991 and was working at the Head Office at Margao; the workman Shri Bharat Vithal Naik was appointed as a Salesman and was working at Margao as well as in the other establishments of the employer; the workman Shri Andrew Carvalho was appointed as a Counter Sales Assistant from 1st November 1981 and was working at Margao and Vasco; workman Smt. Filomena D'Costa was employed as a typist from 28-4-1981 and was working at the Head Office at Margao. That on 11th March 1992 the employer issued a notice to the workmen falsely stating that the employer has decided to discontinue its business from 11th April, 1992 and that all the selling operations and other operations/works ancillary or incidental thereto or connected therewith will be discontinued from 13th April, 1992. That in the said notice it was also stated that the employer had decided to terminate the services of the workmen from 14th April 1992 on account of closure. That though it was stated in the notice of closure that the business will be closed from 11th March 1992, infact the business was not closed at all but the employer carried out the business as usual with new workers and some workers whose services were terminated earlier were also taken back in service. That the employer did not prepare the seniority list and also did not retrench the workmen on the principles of "Last Come First Go" and also did not comply with the mandatory provisions of Sec. 25 (F) of the Industrial Disputes Act, 1947 as well as Sec. 25(G) of the said Act. That the workmen raised an industrial dispute with the employer as regards termination of their services and thereafter also raised an industrial dispute before the Dy. Labour Commissioner, Margao. That however the conciliation proceedings ended in failure and the failure report was submitted to the Government. The workmen contended that termination of their services is illegal and unjustified and therefore they are entitled for reinstatement in service with full back wages and other consequential benefits.

3. The employer filed written statement at Exb. 6. The employer stated that on over all appraisal of the working result of the business of the employer, it was found to be uneconomical and therefore the employer decided to discontinue the entire business from 13th April, 1992 and in pursuance to the said decision all the employees including the workmen were served notice dated 11th March 1992 terminating their services w.e.f. 14th April, 1992 and they were paid all their legal dues such as compensation, gratuity, leave wages etc., on 13th April 1992. The Employer stated that the decision to close the entire business w.e.f. 13th April 1992 was arrived at bonafidely and the termination of the service of the workmen was effected in legal manner. The employer denied that it is presently having show room at Salgaoncar Chambers or at Vasco or at Mapusa or at Ponda. The employer denied that Shri Hugo Gonsalves, Shri Hiremeth or Pascoal Pereira were workmen. The employer denied

that its business was not closed or that the business was carried on at all their establishments with new workers or otherwise as alleged by the workmen. The employer stated that the dispute about non re-employment of the workmen can be adjudicated only if there is a substantive reference in terms of Sec. 25 H of the Industrial Disputes Act, 1947. The employer denied that any seniority list was required to be prepared or that there was no compliance with the provisions of Sec. 25 F and 25 G of the Industrial Disputes Act, 1947. The employer denied that the termination of service of the workmen is illegal and unjustified and stated that the workmen are not entitled to any relief as claimed by them. The workmen thereafter filed rejoinder at Exb. 7.

4. On the pleadings of the parties following issues were framed at Exb. 8.

1. Whether Party I prove that the business of Party I is not closed w.e.f. 14-4-92?
2. Whether Party I prove that Party II did not comply with the provisions of Sec. 25 F and 25 G of the I. D. ACT, 1947 while retrenching them?
3. Whether Party I prove that Party II did not comply with the provisions of 25 H of the I. D. Act, 1947 while re-employing the retrenched workmen?
4. Whether Party I prove that the termination of their services by Party II w.e.f. 14-4-92 is illegal and unjustified?
5. Whether Party II prove that dispute about non-employment of Party I cannot be adjudicated in the present reference?
6. Whether the party I is entitled to any relief?
7. What Award?

This Tribunal has already passed an Award Party I dated 10-1-2000 in respect of workmen Shri Lourdes Fernandes and Smt. Filomena D'Costa in terms of the consent terms filed by them and therefore these findings are restricted only to the workmen Shri Manoj Kalekar, Shri Bharat Naik and Shri Andrew Carvalho.

5. My findings on the issues are as follows:

- Issue No. 1 : In the negative.
- Issue No. 2 : In the negative.
- Issue No. 3 : In the negative.
- Issue No. 4 : In the negative.
- Issue No. 5 : In the negative.
- Issue No. 6 : Workmen are not entitled to any relief.
- Issue No. 7 : As per order below.

REASONS

6. **Issues Nos. 1 to 4:** All these issues are taken up together as they are interrelated. After the issues were framed the case was fixed for the evidence of the workmen. From the order of reference dated 1-10-93 it can be seen that the dispute as regards termination of service raised by the workmen themselves and not

through the union. The statement of claim was also signed by the workmen themselves. Though opportunities were given to the workmen Shri Manoj Kalekar, Shri Bharat Naik and Shri Andrew Carvalho they did not examine themselves and consequently no evidence was led on their behalf to prove that business of the employer is not closed w.e.f. 14-2-92 or that the employer did not comply with the provisions of Sec. 25 F and 25 G and 25 H of the Industrial Disputes Act, 1947. The evidence was led only on behalf of the workmen Shri Lourdes Jose Fernandes and Smt. Filomena D'Costa. But subsequently a settlement was arrived at between the employer and the said workmen and consent terms were filed on 29-11-99 praying that consent award be passed in terms of the settlement.

7. The reference of the dispute as regards the termination of the services of the workmen was made by the Government at the instance of the workmen as they challenged the action of the employer in terminating their services w.e.f. 14-4-92 and as such they raised an industrial dispute. The Bombay High Court, Panaji Bench, in the case of V. N. S. Engg. Services v/s Industrial Tribunal Goa, Daman and Diu and another reported in FJR Vol. 71 page 393 has held that the general rule is that he who approaches the court for a relief should prove his case i. e. the obligation to lead evidence to establish an allegation made by a party is on the party making the allegation the test being that he who does not lead evidence must fail. The Bombay High Court has further held that the party who raises the industrial dispute is bound to prove the contention raised by him and an Industrial Tribunal or Labour Court would be erring in placing the burden of proof on the other party to the dispute. In another case, i.e. in the case of V. K. Raj Industries v/s Labour Court (I) and others reported in 1981 (29) FLR 194, Allahabad High Court has held that the proceedings before the Industrial Court are judicial in nature even though the Indian Evidence Act is not applicable to the proceedings before the Industrial Court but the principles underlying the said Act are applicable. The High Court has further held that it is well settled that if a party challenges the validity of an order, the burden lies on him to prove the illegality of the order and, if no evidence is produced, the party invoking the jurisdiction must fail.

8. In the present case the dispute was raised by the workmen that the termination of their services by the employer is illegal and unjustified. It was the contention of the workmen that the employer did not close its business from 14-4-92 and also did not comply with the provisions of Sec. 25 F 25 G and 25 H of the Industrial Disputes Act, 1947. The burden was on the workmen to prove the above contentions. As stated earlier, in spite of the opportunity given the workmen Shri Manoj Kalekar, Shri Bharat Naik and Shri Andrew Carvalho did not lead any evidence on their behalf in support of their above contentions. In the absence of any evidence on behalf of the workmen, the issues nos. 1 to 4 cannot be answered in their favour. In the circumstances, I answer the issue nos. 1 to 4 in the negative and hold that the above said workmen have failed to prove that the action of the employer in terminating their services w.e.f. 14-4-92 is illegal and unjustified.

9. **Issue No. 5:** The employer has raised the contention in the written statement that the dispute about the non re-employment

of the workmen cannot be adjudicated upon in the present reference. It was the contention of the employer that in this respect the Government has to make a specific reference. No evidence has been led by the employer on this issues nor the employer has shown as to why the issue of non re-employment cannot be adjudicated in the present reference. In the circumstances, I hold that the employer has failed to prove that the dispute about non re-employment cannot be adjudicated in the present reference. In the circumstances, I answer the issue no. 5 in the negative.

10. **Issue No. 6:** Since it has been held by me that the workmen Shri Manoj Kalekar, Shri Bharat Naik and Shri Andrew Carvalho have failed to prove that the termination of their service by the employer is illegal and unjustified the question of granting any relief to them does not arise. I, therefore hold that the said workmen are not entitled to any relief and I answer the issue accordingly.

In the circumstances I pass the following order.

ORDER

It is hereby held that the action of the management of the employer M/s Fomento Corp in terminating the services of the workmen Shri Manoj Kalekar, Shri Bharat Naik and Shri Andrew Carvalho with effect from 14-4-92 is legal and justified. It is hereby further held that the said workmen are not entitled to any relief.

No order as to costs. Inform the Government accordingly.

Sd/-

(AJIT J. AGNI)
Presiding Officer
Industrial Tribunal.

Order

No. CL/ESI-H/97/ESI/8661

On the recommendation of Goa Public Service Commission vide their letter No. COM/I/5/28(2)/97 dated 18-3-98, the Government is pleased to appoint Dr. (Mrs.) Medha B. Bakhle on temporary basis on the post of Jr. Paediatrician (Group "A" Gazetted) in E. S. I. Hospital at Margao under the Employees' State Insurance Scheme in the pay scale of Rs. 8000-275-13500 plus N.P.A. as admissible under the rules plus E.S.I. Allowance of Rs. 200/- p.m. with effect from the date of her joining the duties as per terms and conditions contained in the Memorandum No. CLE/ESI-H/97-E.S.I./308 dated 15-4-98.

Dr. (Mrs.) Medha B. Bakhle has already been examined by the Medical Board of the Goa Medical College and found fit.

By order and in the name of the Governor of Goa.

R. S. Mardolker Commissioner, Labour & Ex-Officio Jt. Secretary.

Panaji, 14th May, 1998.

Office of the State Director of Craftsmen Training

Order

No. 23/18/88-LAB/646

On recommendation of the Goa Public Service Commission vide their letter No. COM/II/11/28(2)/97 dated 26-2-98, Government is pleased to promote the following officials to the post of Principals, Group 'B' Gazetted, on regular basis in the pay scale of Rs. 6500-200-10500 with effect from the date they take charge of the post and are posted at the place shown in column No. 3.

| Sr. No. | Name and Designation of the Official | Place of Posting |
|---------|---|---------------------|
| 1. | 2. | 3. |
| 1. | Shri D. K. Chougule, Group Instructor, I.T.I. Honda-Sattari. | I. T. I., Bicholim. |
| 2. | Shri Deepak Joshi, Group Instructor, I. T. I., Mapusa. | I. T. I., Vasco. |
| 3. | Shri R. V. Konatkar, Surveyor Office of State Director of Craftsmen Training, Panaji. | I. T. I., Canacona. |

The above officials shall be on probation for a period of two years.

By order and in the name of the Governor of Goa.

R. S. Mardolker Commissioner, Labour & Ex-Officio Jt. Secretary.

Panaji, 18th March, 1998.

Order

No. 23/8/89-LAB/856

Whereas vide Government Order No. 3/17/SDCT/EST/1743 dated 30-7-97 Shri S. M. Patker, Group 'B' Gazetted Officer was transferred and posted as Principal, Industrial Training Institute, Honda-Sattari;

And whereas in terms of F. R. 56 (j) (i), the appropriate authority shall, if it is of the opinion that in the public interest so to do, have absolute right to retire a Government servant in Group 'A' or Group 'B' service or post in the substantive, quasi-permanent or temporary capacity and who had entered Government service before attaining the age of 35 years after he has attained the age of 50 years, by giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice;

And whereas the Review Committee constituted by the Government which is the appropriate authority reviewed the case in respect of the aforesaid officer and is of the opinion that it is in the public interest to retire Shri S. M. Patker, Principal, Industrial

Training Institute, Honda, Sattari and has recommended the retirement of the above officer by giving him three months pay and allowances in lieu of notice as contemplated under F. R. 56(j).

Now, therefore, the Government of Goa in pursuance of the proviso of F. R. 56 (j) (i) and on the recommendations of the Review Committee hereby retires Shri S. M. Patker, Principal, Industrial Training Institute, Honda, Sattari with effect from 2-4-1998 (A.N.).

Shri S. M. Patker, Principal, Industrial Training Institute, Honda, Sattari shall be entitled to three months pay and allowances in lieu of notice as contemplated under F. R. 56 (j).

Accordingly, Cheque No. 703079 dated 2-4-98 amounting to Rs. 40,680-00 (Rupees Forty thousand and six hundred eighty only) is enclosed herewith.

By order and in the name of the Governor of Goa.

R. S. Mardolker Commissioner, Labour & Ex-Officio Jt. Secretary.

Panaji, 2nd April, 1998.

Department of Personnel

Notification

No. 7/6/99-PER

In continuation of this Department's Notifications of even number dated 9-12-1999 and 13-12-1999 the Governor of Goa is pleased to order the allocation of following departments to Ms. Archana Arora, Secretary with immediate effect:

- i) Revenue.
- ii) Public Works Department.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 11th January, 2000.

Order

No. 3/1/80-PER (Part-II)

On placement of his services at the disposal of the Government of Goa by the Government of India, Ministry of Home Affairs, New Delhi, vide Order No. 14016/16/97-UTS, dated 28-10-1999, Governor of Goa is pleased to appoint Shri Jaspal Singh, IPS, (AGMUT-96) as Dy. Superintendent of Police (Traffic) with immediate effect. Shri Singh reported to the

State of Government on 5-1-2000 (F. N.) and was awaiting posting

By order and in the name of the Governor of Goa.

J. S. Monteiro, Under Secretary (Personnel).

Panaji, 2nd February, 2000.

Order

No. 6/4/98-PER

Shri S. V. Elekar, Joint Secretary (Finance), shall hold the charge of the post of Joint Secretary (Industries), in addition to his own duties, with immediate effect.

By order and in the name of the Governor of Goa.

J. S. Monteiro, Under Secretary (Personnel).

Panaji, 2nd February, 2000.

Order

No. 6/9/91-PER

Shri S. P. Dixit, Director of Women & Child Development, Panaji, shall hold the charge of the post of Director (Administration), Directorate of Education, Panaji, in addition to his own duties, with immediate effect.

By order and in the name of the Governor of Goa.

J. S. Monteiro, Under Secretary (Personnel).

Panaji, 2nd February, 2000.

Order

No. 7/1/97-PER

In pursuance of Ministry of Environment & Forests Notification No. 17016/19/97-IFS. II dated 23-12-1999, Governor of Goa is pleased to relieve Smt. Neena Grewal, I.F.S. (AGMU: 93) of her charge of Dy. Conservator of Forests, Social Forestry with effect from 2-2-2000 (A.N.) with direction to report to Chief Secretary, Government of Uttar Pradesh.

By order and in the name of the Governor of Goa.

J. S. Monteiro, Under Secretary (Personnel).

Panaji, 2nd February, 2000.

Notification

No. 6/3/81-PER-VOL. VII

Read: (i) Notification No. 23/18-LAB-PART I dated 6-4-1995.
(ii) Addendum No. 23/18/88-LAB-Part I dated 17-4-1995.

In supersession of the Government Notification dated 6-4-1995 and Addendum dated 17-4-1995 cited at (i) & (ii) above, and in partial modification of the Government Order of even number dated 21-1-2000, Shri S. V. Shirodkar, Director of Social Welfare, shall hold additional charge of State Director of Craftsmen Training, until further orders.

By order and in the name of the Governor of Goa.

J. S. Monteiro, Under Secretary (Personnel).

Panaji, 2nd February, 2000.

Department of Revenue**Notification**

No. 22/86/98-RD

Whereas by Government Notification No. 22/86/98-RD dated 5-2-1999 published on pages 744, 745 of Series II, No. 49 of the Official Gazette dated 4-3-99 and in two newspapers (1) Gomantak Times dated 22-2-99 (2) Rashtramat dated 23-2-99 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land specified in the schedule appended to the said Notification was likely to be needed for the public purpose viz. construction of Housing Complex for judges and staff and parking space at Ponda in Ponda Taluka.

And whereas, the Government of Goa (hereinafter referred to as the "Government") after considering the report made under sub-section (2) of section 5A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to "the said land").

Now, therefore, the Government hereby declares, under sections 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also hereby appoints under clause (c) of section 3 of the said Act, the Dy. Collector SDO, Ponda to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Dy. Collector SDO, Ponda till the award is made under section 11

SCHEDULE

(Description of the said land)

Taluka: Canacona

Village: Chaudi

| Survey No./ P.T.S. No. | Sub- Div. No./ Chalta No. | Names of the persons believed to be interested | Appx. area in sq. mts. |
|---------------------------|------------------------------|---|---------------------------|
| 1 | 2 | 3 | 4 |

| | | | |
|-----|-----------|---|------|
| 201 | 2 part O: | Mukund Pandurang Kawlekar. Vasudev Babuso Kawlekar. Gajanan Babuso Kawlekar. Pundalik Babuso Kawlekar. Ravikant Ramnath Kawlekar. Yeshwant Laximan Kawlekar. Ranganath Shanto Kawlekar. Ayodha Dharma Kawlekar. Sita Chintu Kawlekar. | 2450 |
|-----|-----------|---|------|

Boundaries:

North: S. No. 201/2.
South: Road, S. No. 200/1.
East: S. No. 201/2.
West: S. No. 201/1.

Total:.....2450

By order and in the name of the Governor of Goa.

D. M. Borkar, Under Secretary (Revenue).

Panaji, 18th January, 2000.

Notification

No. 22/69/99-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for dumping garbage at Assagao village in Bardez Taluka.

And whereas in the opinion of Government the provisions of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") are applicable.

Now, therefore, the Government hereby notifies under sub-section (1) of section 4 of the said Act, that the said land is likely to be needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed

under paragraph 4 below, after the date of the publication of this notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act. Dy. Collector/SDO, Mapusa to perform the functions of a Collector, North Goa District, Panaji under the said Act in respect of the said land.

5. The Government also authorises under sub-section (2) of section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji.
2. Dy. Collector/SDO, Mapusa
3. Chief Officer, Mapusa Municipal Council, Mapusa.
4. Director of Settlement & Land Records, Panaji.

6. A rough plan of the said land is available for inspection in the Office of the Dy. Collector/SDO, Mapusa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka : Bardez

Village : Assagao

| Survey No./ Sub. Div. No. | Names of the persons believed to be interested | Approx. area in sq. mts. |
|------------------------------|---|-----------------------------|
| 1 | 2 | 3 |
| 145 part | O: Church Property. O: R: Sitaram V. Naik for Plucking cashew nuts. | 20000 |

| 1 | 2 | 3 |
|--------------------|---|-------------------|
| Boundaries: | | |
| North: S. No. 145. | | |
| South: S. No. 145. | | |
| East: S. No. 145. | | |
| West: S. No. 144. | | |
| | | Total:..... 20000 |

By order and in the name of the Governor of Goa.

D. M. Borkar, Under Secretary (Revenue).

Panaji, 7th February, 2000.

Department of Transport

Office of the Director of Transport

Notification

No. 5/9/90-Tpt/119

In exercise of the powers conferred by clause (xii) of Sub-Rule (1) of Rule 22 of the Goa, Daman & Diu Motor Vehicles Tax Rules, 1974, read with Section 11 (2) of the Goa Motor Vehicles Tax Act, 1974 the Government of Goa hereby exempts vehicle 'Armada make' bearing registration No. GA-01/C-9203 having chassis No. DW-23819 and Engine No. DW-23819 and owned by Diocesan Youth Centre, Lar de Estudantes, Altinho, Panaji, Goa-403 001, from payment of tax due to this State, being used for a cultural/welfare purpose.

By order and in the name of the Governor of Goa.

A. T. Kamat, Director of Transport & Ex-Officio Joint Secretary. (Tpt.)

Panaji, 18th January, 2000.